

EXHIBIT A

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

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SPERO HARITATOS, :
: :
: Plaintiff, : 05 Civ. 930 (DNH/GJD)
: :
- against - :
: :
HASBRO, INC. :
and TOYS "R" US-NY LLC, :
: :
Defendants. :
: :
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**DEFENDANT HASBRO, INC.'S
RESPONSE TO PLAINTIFF'S FIRST SET OF REQUESTS
FOR PRODUCTION OF DOCUMENTS AND THINGS**

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, Defendant Hasbro, Inc. ("Hasbro"), by its attorneys of record, Patterson Belknap Webb & Tyler LLP, hereby responds to Plaintiff Spero Haritatos's ("Plaintiff's") First Set of Requests for Production:

and without waiving the foregoing and the General Objections, Hasbro points to documents produced in the Trademark Trial and Appeal Board proceedings involving the parties as evidence of third-party use of the CANDYLAND or similar marks and of plaintiff's dubious attempts to claim ownership rights prior to his own personal use of the alleged mark.

Request No. 17:

All documents and things referring or relating to use of the term "CANDY LAND" or any other similar term by any person or entity other than any of the Defendants and Haritatos.

Objections and Response:

Subject to and without waiving the General Objections, Hasbro will produce responsive, relevant, non-privileged documents, if any.

Request No. 18:

All documents referring or relating to communications or to the nature of the relationship between Hasbro and TRU concerning the term "CANDY LAND" or any other similar term.

Objections and Response:

Hasbro objects to this Request as vague and ambiguous, overbroad, and unduly burdensome. Subject to and without waiving the foregoing and the General Objections, and subject to a suitable protective order, Hasbro will produce the agreement between Hasbro and TRU concerning the use of the CANDY LAND mark in connection with the Toys "R" Us Times Square New York store's candy department and non-privileged documents concerning the negotiation of it.

Request No. 19:

All documents referring or relating to any negotiations for or consummation of any assignment, license, or other transfer of rights in or to the term "CANDY LAND" or any other similar term.

packaging, and wrapper referencing the term "CANDY LAND" or any other similar term.

(b) Every document referring or relating to the number of each such type of documents or things printed or otherwise created to the scope and nature of the distribution or use of such documents or things.

Objections and Response:

Hasbro objects to this Request as vague, ambiguous, overbroad, unduly burdensome, duplicative of other requests, and as seeking information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing, Hasbro will make available for inspection and copying representative responsive materials, if any.

Request No. 29:

Every document comprising a summary of the revenues or expenses for any period of a month or longer of any of the Defendants' business associated with products in connection with which the term "CANDY LAND" or any other similar term has been used or has been licensed for use, including, but not limited to, any of the Defendants' business associated with Defendants' Edible CANDY LAND Products.

Objections and Response:

Hasbro objects to this Request as overbroad, unduly burdensome, duplicative of other requests, and as seeking information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing and the General Objections, Hasbro will produce summary documents sufficient to show its revenues from products using its CANDY LAND trademarks for suitable periods during the past five years.

Request No. 30:

Every document referring or relating to or showing the registration or use of the term "CANDY LAND" or any other similar term on the Internet or similar service either as part of a domain name or otherwise.

Objections and Response:

Hasbro objects to this Request as vague, ambiguous, overbroad, unduly burdensome, and as seeking information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing and the General Objections, Hasbro will produce representative responsive, relevant, non-privileged documents, if any.

Request No. 31:

Every document comprising or referring or relating to a trade journal, magazine, newspaper or other media article referencing the term "CANDY LAND" or any other similar term.

Objections and Response:

Hasbro objects to canvassing the entire company for publicly available documents as unduly burdensome. Subject to and without waiving foregoing and the General Objections, Hasbro will produce responsive, relevant, non-privileged documents, if any, regularly kept in a media file.

Request No. 32:

Every document referring or relating to any of the Defendants' consideration of using the term "CANDY LAND" in connection with any edible products or its decision to adopt and intent to use the term "CANDY LAND".

Objections and Response:

Hasbro objects to this Request as vague, ambiguous, overbroad, unduly burdensome, and as seeking information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Hasbro further objects to this Request to the extent it seeks information protected by the attorney-client privilege, attorney work product, or other privilege. Subject to and without waiving the foregoing and the General Objections, Hasbro will produce responsive, relevant, non-privileged documents, if any.

Objections and Response:

Hasbro objects to this Request as vague, ambiguous, and duplicative of other requests. To the extent this Request is requesting documents referring or relating to confusion over whether Hasbro's CANDY LAND products are sponsored, affiliated, associated or endorsed by or connected with Haritatos, Hasbro states it will produce responsive, relevant, non-privileged documents, if any.

Request No. 42:

Every document referring or relating to any objections by either Haritatos or others to any of the Defendants' use or intended use of the term "CANDY LAND" or any other similar term.

Objections and Response:

Hasbro objects to this Request as overbroad and unduly burdensome. Subject to and without waiving the foregoing and the General Objections, Hasbro will produce responsive, relevant, non-privileged documents, if any, concerning objections to use of the term CANDY LAND by Hasbro.

Request No. 43:

Every document referring or relating to any charge of infringement, false advertising, or unfair competition involving the term "CANDY LAND" or any other similar term.

Objections and Response:

Hasbro objects to this Request as overbroad, unduly burdensome, and as seeking information that is irrelevant and not calculated to lead to the discovery of admissible evidence. Hasbro further objects to this Request to the extent it seeks information protected by the attorney-client privilege, attorney work product, or other privilege. Subject to and without waiving the foregoing and the General Objections, Hasbro will produce representative

responsive, relevant, non-privileged documents, if any, concerning any charge of trademark infringement involving the CANDY LAND mark.

Request No. 44:

Every document referring or relating to facts forming the basis of any of the Defendants' defenses and/or counterclaims in this lawsuit.

Objections and Response:

Hasbro objects to this Request to the extent it seeks information inherently invasive of the attorney work product privilege.

Request No. 45:

Every document referring or relating to any investigation by, review by, or opinions of any investigators, consultants, or experts concerning the term "CANDY LAND" or any other similar term or concerning this lawsuit.

Objections and Response:

Hasbro objects to this Request as vague, ambiguous, overbroad, unduly burdensome, and as seeking information that is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Hasbro further objects to this Request to the extent it seeks information protected by the attorney-client privilege, attorney work product, or other privilege. Subject to and without waiving the foregoing and the General Objections, Hasbro will produce responsive, relevant, non-privileged documents, if any.